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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MMB Docket No. 1001-0784

NCR Docket No. 10183

Application of: **Nugent Jr.**

Group Art Unit: 2841

Serial No. 10/024,800

Examiner: **Randy W. Gibson**

Filing Date: **December 19, 2001**

For: **A Scale**

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September 23, 2004

Date of Signature

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision set forth in the Official Action mailed June 23, 2004, in which the Examiner finally rejected claims 1-22.

09/27/2004 ZJU HAR1 00000041 10024800

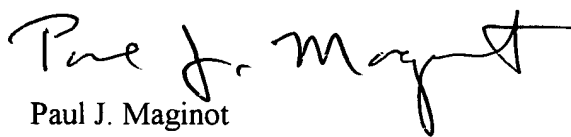
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330.00 OP

A check for \$330.00 is enclosed for the filing fee of a Notice of Appeal as required by 37 CFR § 1.17(b). Also, please provide any extension of time which may be necessary and charge any fees which may be due to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP

A handwritten signature in black ink, appearing to read "Paul J. Maginot", written in a cursive style.

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September 23 , 2004
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